

## Oneida Business Committee Agenda Request

1. Meeting Date Requested: 05 / 24 / 18

### 2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

☐ Accept as Information only

☒ Action - please describe:

Accept the Oneida Personnel Commission FY'18 2nd quarter report.

### 3. Supporting Materials

☒ Report ☐ Resolution ☐ Contract

☐ Other:

1.

3.

2.

4.

☐ Business Committee signature required

### 4. Budget Information

☐ Budgeted - Tribal Contribution

☐ Budgeted - Grant Funded

☐ Unbudgeted

### 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter:   
Your Name, Title / Dept. or Tribal Member

Additional Requestor:   
Name, Title / Dept.

Additional Requestor:   
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

Describe the purpose, background/history, and action requested:

Oneida Personnel Commission submission of the FY' 18 2nd quarter report for the months of: January, February and March 2018.

- 1) Save a copy of this form for your records.
- 2) Print this form as a \*.pdf *OR* print and scan this form in as \*.pdf.
- 3) E-mail this form and all supporting materials in a **SINGLE** \*.pdf file to: [BC\\_Agenda\\_Requests@oneidanation.org](mailto:BC_Agenda_Requests@oneidanation.org)

ONEIDA PERSONNEL COMMISSION  
FY 2018- Quarterly Report Second Quarter  
January, February and March 2018  
Submitted by: Bradley Graham

**NAMES**

Officers: Bradley Graham, Chairperson/Treasurer  
Pearl Webster, Vice-Chairperson  
Members: Sharon Alvarez, Secretary  
Richard Elm-Hill  
Jennifer Hill  
Eric Krawczyk  
Carol Smith  
Gerald DeCoteau  
Jason Martinez  
Stacey Nieto  
Patricia Powless  
Yvonne Jourdan  
Gary Smith  
Tina Moore

**MINUTES**

All approved minutes have been submitted to the Office of the Tribal Secretary.

January 9, 2018	Regular Meeting	(Approved)
January 16, 2018	Special Meeting	(Approved)
February 1, 2018	Special Meeting	(Approved)
February 13, 2018	Regular Meeting	(Approved)
March 7, 2018	Special Meeting	(Not Approved)
March 13, 2018	Regular Meeting	(Not Approved)

**FINANCIAL**

See attached R&E statements for the months of January, February and March 2018.

**SPECIAL EVENTS AND TRAVEL**

No out-of-state travel/training occurred during this quarter.

**LOCAL TRAINING**

Training for the first quarter of this fiscal year included standard initial reviews, grievance hearings, and grievance decisions training which took place in October, November, and December.

**ACTIVITY REPORT: ONEIDA PERSONNEL COMMISSION**

Activity	January	February	March	Totals
Pre-Screens	12	19	28	59
Interviews	4	12	23	39
Reassignments	7	6	1	14
Initial Reviews	1	2	3	6

Grievances	6	1	6	13
Deliberations	1	0	1	2
Decision Writing	0	0	3	3
Motion Decisions	0	3	2	5
Regular Meetings	1	1	1	3
Special Meetings	1	1	1	3
Training*	3	4	5	12
Non-Gaming Employees with an advocate	0	0	0	0
Non-Gaming Employees without an advocate	2	0	2	4
Gaming Employees with an advocate	0	0	0	0
Gaming Employees without an advocate	1	0	1	2
Non-Gaming Management with an advocate	1	0	1	2
Non-Gaming Management without an advocate	0	0	1	1
Gaming Management with an advocate	1	0	1	2
Gaming Management without an advocate	0	0	0	0

- The numbers within the Reassignment boxes are the numbers of employees that were reassigned into different positions for that specific month.
- Training could mean attending out-of-state, local training, or in-house training. New commissioners are mentored by existing commissioners during Initial Reviews, Grievance Hearings, Decision Writing, Hearing Officer Responsibilities, and Motion Decisions. This type of involvement is also considered training.

#### **PERSONAL COMMENTS**

The Oneida Personnel Commission (OPC) has gone through some transition with the newly elected Chairperson/Treasure, Vice-Chairperson and Secretary Officers of the Commission. The OPC Officers were elected in December of 2017 and have taken a new approach to leadership by separating themselves from the cohesiveness of the entire Commission and staff. The OPC Officers have also reduced and minimized staff leaving only the Executive Assistant position.



The Oneida Personnel Commission continues to struggle with the Employee Protection Policy and being able to perform investigations and/or audits of employee protection disclosures. The Internal Audit Department is no longer providing this service to the Oneida Personnel Commission which will require the utilization of an outside Investigative Service. The Oneida Personnel Commission utilized the services of API. However due to API's high cost of investigations and the time they took to complete the investigation, we plan to utilize other resources regarding the disclosures that are filed with the Oneida Personnel Commission.

As of April 11, 2018, the Oneida Business Committee took official action to dissolve the Oneida Personnel Commission with BC Resolution # 04-11-18-A, Dissolution of Personnel Commission, Tolling all Timelines in Personnel Related Matters, and Directing the Development of Emergency Amendments to Existing Laws and BC Resolution #04-11-18-B, Creation of the Personnel Selection Committee.

#### **GOALS AND OBJECTIVES – FY 2018**

- |  |                          |
|--|--------------------------|
| 1. Personnel Commission By-Laws              | REVISIONS                |
| 2. Training Manual                           | IN PROGRESS              |
| 3. Updating Qualifications for Commissioners | REVISIONS PENDING AT LOC |
| 3. Interdepartmental Relationships           | NEEDS IMPROVEMENT        |
| 4. Updating Personnel Commission SOP's       | IN PROGRESS              |
| 5. Continuous Open Communication with GTC    | IN PROGRESS              |

#### **OBJECTIVE STATEMENT – FY 2018**

1. Optimize organizational efficiency and effectiveness
2. Learning and growth perspective
3. Owner/customer/stakeholder perspective

#### **MEETING REQUIREMENTS**

*Oneida Personnel Commission By-Laws*, Article III. Meetings.

3-1 *Regular Meetings*. The OPC officers shall establish a schedule of regular meetings for the upcoming year beginning in November. Notice of meeting location, agenda and materials shall be forwarded by the Chairperson with the assistance of the Administrator. Robert's Rules of Order shall be used as a guideline for conducting meetings.

3-2 *Special Meetings*. Special meetings shall be called not less than three (3) days prior to the date of the special meeting.

3-3 *Emergency meetings*. Emergency meetings shall be scheduled as needed and provide details of the emergency.

3-4 *Legislative Sessions*. When considering revisions or suggestions to the OPC regarding the labor laws of the Tribe, a Legislative Session may be scheduled to devote a focused exclusive convened working meeting of the OPC to specifically address amendment or revision of existing or proposed labor laws of the Tribe. An internal OPC SOP may be drafted governing the procedures to be followed in implementing such Legislative Session.

3-5 *Quorum*. A quorum shall consist of a majority of the OPC members. In the absence of the Chairperson and the Vice-Chairperson, the members present at the meeting shall elect a Chairperson *Pro Tem* to preside over the meeting.

**FOLLOW-UP:** None

ONEIDA PERSONNEL COMMISSION REGULAR MEETING

January 9, 2018 - NOON  
East Wing Conference Room

Mission Statement: To develop an employment system that is orderly and fair and one that will benefit the individual worker and strengthen Tribal Programs and Tribal Government.

**A. Call to order. Attendance Bradley Graham, Chair called the meeting to order at 12:02p.m.**

Bradley Graham	Chair	
Pearl Webster	Vice- Chair	
Sharon Alvarez	Secretary	
Gerald DeCoteau	Member	
Jennifer Hill	Member	
Richard -Elm Hill	Member	
Yvonne Jourdan	Member	On Leave
Eric Krawczyk	Member	
Jason Martinez	Member	
Tina Moore	Member	
Stacey Nieto	Member	
Patricia Powless	Member	
Carol Smith	Member	
Gary Smith	Member	On Leave

Also Present:

Gina Buenrostro Administrator

**MOTION:** Carol Smith motioned to approve the attendance.

**SECOND:** Richard -Elm Hill

**MOTION CARRIED UNANIMOUSLY**

**B. Approval of Agenda**

**MOTION:** Eric Krawczyk motioned to approve agenda with changes.

New Business: F.1. g. Employee protection issue.  
h. Reassignments

**SECOND :** Jennifer Hill

**MOTION CARRIED UNANIMOUSLY**

**C. Review\Approval of Minutes December 12, 2017-Regular meeting**

**MOTION:** Pearl Webster moved to approve the December 12, 2017 – Regular Meeting Minutes.

**SECOND:** Jason Martinez

**MOTION CARRIED UNANIMOUSLY**

**D. Tabled Business; NONE**

**BREAK FOR LUNCH Time: 12:07 p.m.**

**E. Old Business (3)**

1. **Draft article for the Kalihwisaks**  
**No action**

2. **Internal Audit Request dated November 2015 re (HRD)**  
Update, Hand out- E-Mail from Loucinda Conway to Gina. Loucinda Conway will contact Gina to set up a meeting to review 1<sup>st</sup> and 2<sup>nd</sup> Parts with Audit and the Commission.

**MOTION:** Sharon Alvarez motioned to accept the update

**SECOND:** Pearl Webster

**MOTION CARRIED UNANIMOUSLY**

3. **Employment Law Draft 22**  
Update, Gina will e-mail the next set of comments to everyone by Friday.

**MOTION:** Tina Moore motioned to accept the update

**SECOND:** Carol Smith

**MOTION CARRIED UNANIMOUSLY**

**F. New Business (3)**

**MOTION:** Motion made by Richard Elm-Hill to go into executive session at 12:28p.m.

**SECOND:** Jason Martinez

**MOTION CARRIED UNANIMOUSLY**

1. **Scheduling Initial Reviews, Grievance s, Reassignments and housekeeping –**  
**(Gina Buenrostro 30 minutes)**

**MOTION:** Richard Elm-Hill to come out of executive session.

**SECOND:** Jennifer Hill

**MOTION CARRIED UNANIMOUSLY**

**a. Five (5) Minute rule pertaining to Timeliness/Attendance**

The Oneida Personnel Commission Manual at 3.7 Meetings states that OPC members arriving more than 5 minutes late or members not staying for the entire meeting will not receive a stipend. These rules also apply for Special Meetings, Interviews, Pre-Screenings, reassignments, Initial reviews and Hearings. Of course there are extenuating circumstances that may be brought up at the next meeting for approval.

**MOTION:** Pearl Webster to implement immediately.

**SECOND:** Yvonne Jourdan

**MOTION CARRIED UNANIMOUSLY**



- b. **New Commissioner training status**  
Reviewed the training log to see who's trained for Hearing Officers and to do Hearings. After discussion it was decided to have 2 trainees in each hearing to speed up their training.
- c. **Meeting attendance notification reminder**  
No notes
- d. **Time off requests/notification reminder.**  
Time off requests must be in writing and handed in prior to time off.
- e. **Concerns and resolution regarding 4 commissioners from the same division Governmental Services**  
After discussion it was decided that the Business Committee is making the decisions, and then we should send a letter to the BC to make them understand that when they are appointing people, they should be looking at the OPC BY LAWS. The Chair, Bradley Graham will send them a letter.

**MOTION:** Tina Moore to have the letter written

**SECOND:** Patricia Powless

**MOTION CARRIED UNANIMOUSLY**

- f. **Update regarding Employee Protection Policy meeting with the Oneida Business Committee on January 4, 2018-OPC officers.**

Bring this back to commission to discuss. Only 4 attended, all commissioners should have been invited. Special meeting will be held February 1 from 12:00pm to 2:00 pm. Eric Krawczyk and Sharon Alvarez are excused.

**MOTION:** Carol Smith to have meeting

**SECOND:** Richard Elm-Hill

**ABSTENTIONS:** Eric Krawczyk and Sharon Alvarez

**MOTION CARRIED** with 2 abstentions

**2. Financial Report October 2017**

**MOTION:** Richard Elm-Hill to accept the report

**SECOND:** Carol Smith

**MOTION CARRIED UNANIMOUSLY**

**3. Activity Report- for December 2017**

**MOTION:** Eric Krawczyk to accept the report

**SECOND:** Pearl Webster

**MOTION CARRIED UNANIMOUSLY**

**G. Correspondence: Primarily distributed into PC members mail boxes**

In our agenda packets were 2 Leave requests:

Pg. 11 Leave for Sharon Alvarez for Medical

**MOTION:** Eric Krawczyk to approve leave

**SECOND:** Richard Elm Hill

**MOTION CARRIED UNANIMOUSLY**

Pg. 12 Leave request for Gary Smith for 4 months

**MOTION:** Jason Martinez to approve leave

**SECOND:** Carol Smith

**MOTION CARRIED with 1 opposed (Pearl Webster)**

Approval of Yvonne Jourdan's stipend she was ill and had to go home  
(Extenuating Circumstances).

**MOTION:** Sharon Alvarez to approve stipend

**SECOND:** Carol Smith

**MOTION CARRIED UNANIMOUSLY**

**H. Standing and Special Committee Reports:**

**I. Other:**

1. Next Regular meeting – February 13<sup>th</sup> 2018 at Noon

2. Pot Luck-person in charge: Eric Krawczyk

**MOTION:** Carol Smith to adjourn

**SECOND:** Eric Krawczyk

**MOTION CARRIED UNANIMOUSLY**

**Adjourn Time 1.58 pm**

**Submitted by Sharon Alvarez - Secretary**



**ONEIDA PERSONNEL COMMISSION SPECIAL MEETING**  
**January 16, 2018 - 11:00 AM**  
**East Wing Conference Room**

Mission Statement: To develop an employment system that is orderly and fair and one that will benefit the individual worker and strengthen Tribal Programs and Tribal Government.

**A.     Call to order. Attendance   Bradley Graham, Chair called the meeting to order at 11:00am**

Bradley Graham	Chair	
Pearl Webster	Vice- Chair	
Sharon Alvarez	Secretary	
Gerald DeCoteau	Member	Excused
Jennifer Hill	Member	
Richard -Elm Hill	Member	
Yvonne Jourdan	Member	On Leave
Eric Krawczyk	Member	Excused
Jason Martinez	Member	
Tina Moore	Member	
Stacey Nieto	Member	Absent
Patricia Powless	Member	
Carol Smith	Member	
Gary Smith	Member	On Leave

**MOTION:**     Jason Martinez motioned to approve the attendance.

**SECOND:**     Pat Powless

**MOTION CARRIED UNANIMOUSLY**

**B.     Approval of Agenda**

**MOTION:**     Jason Martinez Motioned to approve agenda

**SECOND:**     Richard Elm-Hill

**MOTION CARRIED UNANIMOUSLY**

**C.     Review\Approval of Minutes     None**

**D.     Tabled Business;   None**

**E.     Old Business         None**

**F.     New Business       (1)**

**MOTION:**     Motion made by Pearl Webster to go into executive session at 11:07 AM.

**SECOND**     Jason Martinez

**MOTION CARRIED UNANIMOUSLY**

**1. Judiciary Brief- (Entire Commission)**  
**Presenter Attorney Eric Eisenmann**

Discussion

**MOTION:** Yvonne Jourdan to come out of executive session at 12:20 PM

**SECOND:** Jason Martinez

**MOTION CARRIED UNANIMOUSLY**

Discussion on leaving Employee complaint packets at the front desk just date stamped.  
This will be discussed at another meeting.

Meeting on Thursday at 12:00 PM

**MOTION:** Jason Martinez to adjourn

**SECOND:** Carol Smith

**MOTION CARRIED UNANIMOUSLY**

**Adjourn Time 12:34 pm**

**Submitted by Sharon Alvarez - Secretary**

ONEIDA PERSONNEL COMMISSION SPECIAL MEETING MINUTES

FEBRUARY 1, 2018 - NOON

EAST WING CONFERENCE ROOM

Mission Statement: To develop an employment system that is orderly and fair and one that will benefit the individual worker and strengthen Tribal Programs and Tribal Government.

Chairman:

- A. Call to Order: Attendance (12:02p.m.) Gate Keeper: Bradley Graham, Chairman, called the meeting to order at 12:02p.m.

Bradley Graham	Chair
Pearl Webster	Vice Chair
Gerald Decoteau	Member
Yvonne Jourdan	Member
Jason Martinez	Member
Tina Moore	Member
Patricia Powless	Member
Carol Smith	Member

Also Present:

Bridget Cornelius	Executive Assistant
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**EXCUSED:**

Sharon Alvarez	Member
Jennifer Hill	Member
Eric Krawczyk	Member
Gary Smith	Member

**UNEXCUSED:**

Richard Elm-Hill	Member
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**MOTION:** Motion to approve the attendance by Carol Smith

**SECOND:** Patricia Powless

**MOTION CARRIED UNANIMOUSLY**

- B. APPROVAL of AGENDA (5 MINUTES)

**MOTION:** Carol Smith moved to approve the agenda with changes

**SECOND:** Patricia Powless

**MOTION CARRIED UNANIMOUSLY**

- C. Review\Approval of Minutes NONE
- D. Tabled Business NONE
- E. Old Business NONE
- F. New Business (1)

1. Review of the Employment Protection Policy. Entire Commission 1 hour, 50 minutes.

Discussion evolved around the DRAFT attachment received from the LOC Re: Summary of changes: Current Law to Draft #3:

Commissioners are not knowledgeable about the Employee Protection Policy. Some new members admit to not reading the Policy, in addition to verbalizing concerns that this concept was not adequately explained to them. They were asked to attend meetings regarding the Policy, yet have not been properly educated on the Policy.

Lengthy discussion by Commissioners, regarding the EP Policy purpose, practice and outcomes.

Bridget was asked to join the meeting to give a brief overview, which she did. This was very helpful.

It was agreed the OPC will continue these meetings to determine how to proceed with the Draft. In addition Bridget has agreed to bring back some history, and application examples of said policy.

MOTION: Carol Smith to put the EPP on the February 13, 2018 regular agenda for discussion.

SECOND: Jason Martinez

MOTION CARRIED UNANIMOUSLY

2. Vacation Request-Pearl Webster

SECOND: Gerald Decoteau

MOTION CARRIED UNANIMOUSLY

3. ADD ON (FYI) Judicial Brief Update

4. MOTION: Yvonne Jourdan to adjourn

SECOND: Tina Moore

MOTION CARRIED UNANIMOUSLY

Time: 1:58p.m.

ONEIDA PERSONNEL COMMISSION REGULAR MEETING

February 13, 2018 - NOON

East Wing Conference Room

Mission Statement: To develop an employment system that is orderly and fair and one that will benefit the individual worker and strengthen Tribal Programs and Tribal Government.

A. Call to Order: Bradley Graham, Chair called the meeting to order at 12:00pm

Attendance:

Bradley Graham	Chair	
Pearl Webster	Vice- Chair	Excused
Sharon Alvarez	Secretary	Additions
Gerald DeCoteau	Member	
Jennifer Hill	Member	
Richard -Elm Hill	Member	
Yvonne Jourdan	Member	
Eric Krawczyk	Member	Excused
Jason Martinez	Member	
Tina Moore	Member	
Stacey Nieto	Member	
Patricia Powless	Member	
Carol Smith	Member	
Gary Smith	Member	On Leave

Also Present:

Gina Buerenrostro Administrator

MOTION: Richard -Elm Hill motioned to approve the attendance.

SECOND : Carol Smith

**MOTION CARRIED UNANIMOUSLY**

B. Approval of Agenda

Additions added to New Business F.1

- g. Stipend Request Jennifer Hill
- h. EEO Training - Schedule
- i. Leave Early Jason 2;00  
Pat 3:00 and Richard
- j. Sharon – Part Time

MOTION: Jason Martinez motioned to approve agenda with changes.

SECOND : Jennifer Hill

**MOTION CARRIED UNANIMOUSLY**



C:	<u>Review\Approval of Minutes</u>	January 9, 2018-Regular meeting January 16, 2018 Special Meeting
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**MOTION:** Jason Martinez moved to approve the January 9, 2018 meeting minutes and the January 16, 2018 Special meeting minutes with the changes.

**SECOND:** Richard – Elm Hill

**MOTION CARRIED UNANIMOUSLY**

**D. Tabled Business; NONE**

**Break for lunch Time: 12:15 pm.**

Return to meeting *Time: 12:24 pm.*

**E. Old Business (3)**

1. Draft article for the Kaliwisaks  
No update

- 2. Internal Audit Request Update**  
**No Update**

- ### 3. Employment Law Draft 22

No Update, Gina -- Direct the Chair to let the whole BC know that the Commission would like to give their perspective at the June Meeting when they propose the Employment Law.

**MOTION:** Tina Moore motioned to direct Chair to send letter.

**SECOND** Carol Smith

**MOTION CARRIED UNANIMOUSLY**

**F. New Business (3)**

**MOTION:** Motion made by Richard Elm-Hill to go into executive session at 12:29pm.

**SECOND** Jason Martinez

**MOTION CARRIED UNANIMOUSLY**

1. **Scheduling Initial Reviews, Grievances, Reassignments and Housekeeping (Gina Buenrostro) 30 minutes.**

**MOTION** made by Jason Martinez to come out of executive session. 12:39 pm

**SECOND** Jennifer Hill

**MOTION CARRIED UNANIMOUSLY**

- a. Update on Appointed Commissioner positions ( Bradley Graham) 5 Minutes  
Brad will send a letter to Kirby Metoxen and Tehassi Hill to let them know about the Appointed Commissioners. FYI

**The Chair said that we could delete B, C and D**

**MOTION** made by Jennifer to delete

**SECOND** Richard Elm-Hill

**MOTION Carried**

**Delete b.** Goals and Objectives 2018 on Quarterly Report (Bradley Graham)

**Delete c.** Employee Protection RN Bradley Graham 30 Min Exec

**Delete d.** HRD Training for Tina Moore (Bradly Graham) 5 Min

- e. Schedules from all Commissioners to be submitted to HRD and GPC (Bradley Graham) 20 Minutes  
Discussion: by Gina and Sharon Alvarez Explanation of exactly what was being requested from the Administrator. A Motion was made that the Administrator will notify HRD (Marianne Close) and GPC (Wendy Alvarez) when our commissioners will not be available because of meetings, Special Meetings, Training, Hearings or Leaves.

**MOTION** made by Jason Martinez

**SECOND** Gerald Decoteau

**OBJECTIONS** Yvonne Jourdan and Stacey Nieto

**ABSTENTIONS** Jennifer Hill

**MOTION CARRIED** with 2 Objections and 1 Abstention.

- f. 1<sup>st</sup> Quarter Report FY 2018- oct-Nov-Dec- 2017, (entire Commission) 10 min  
Report is enclosed with our packet for review.

**MOTION** Jennifer Hill would like to have added that the commission would like to have a part in the June BC meeting

**SECOND** Carol Smith

**MOTION CARRIED UNANIMOUSLY**

- g. Approval of Jennifer Hills Stipend

**MOTION** made by Jason Martinez to approve stipend

**SECOND** Patricia Powless

**MOTION CARRIED UNANIMOUSLY**

- h. EEO Training - Schedule a training  
Training will be Wednesday March 21, 2018. Gina will check to see if we can have 2 sessions on that day, one in the morning and one in the afternoon. Gina will e-mail everyone.

**MOTION** made by Tina Moore  
**SECOND** Patricia Powless  
**MOTION CARRIED UNANIMOUSLY**

**2. Financial Report November 2017**

**MOTION** made by Yvonne Jourdan  
**SECOND** Jennifer Hill  
**MOTION CARRIED UNANIMOUSLY**

**3. Activity Report- for December 2017/January 2018**

**MOTION** made by Jennifer Hill  
**SECOND** Richard Elm Hill  
**MOTION CARRIED UNANIMOUSLY**

**4. Training Log-Handout**

**Defer to March**

**MOTION** made by Jennifer Hill  
**SECOND** Patricia Powless  
**MOTION CARRIED UNANIMOUSLY**

**5. Executive Session (Entire Commission)**

**MOTION** made by Jennifer Hill to go into Executive Session  
**SECOND** Jason Martinez  
**MOTION CARRIED UNANIMOUSLY**

**MOTION** made by Jennifer Hill to come out of Executive Session  
**SECOND** Richard Elm Hill  
**MOTION CARRIED UNANIMOUSLY**

**G. Correspondence: Primarily distributed into PC members mail boxes**

**H. Standing and Special Committee Reports:**

**I. Other:**

- 1. Next Regular meeting – March 13<sup>th</sup> 2018 at noon**
- 2. Pot Luck-person in charge: Yvonne Jourdan**

**MOTION** made by yvonne Jourdan to adjourn  
**SECOND** Tina Moore  
**MOTION CARRIED UNANIMOUSLY**

**Adjourn Time 1:58 pm**

**Submitted by Sharon Alvarez - Secretary**

**ONEIDA PERSONNEL COMMISSION SPECIAL MEETING**

**March 7, 2018 - 12:00 PM**

**East Wing Conference Room**

Mission Statement: To develop an employment system that is orderly and fair and one that will benefit the individual worker and strengthen Tribal Programs and Tribal Government.

**A.     Call to order. Attendance: Bradley Graham OPC Chair called the meeting to order at 12:00 pm**

Bradley Graham	Chair	present
Pearl Webster	Vice- Chair	present
Sharon Alvarez	Secretary	present
Gerald DeCoteau	Member	present
Jennifer Hill	Member	excused
Richard -Elm Hill	Member	excused
Yvonne Jourdan	Member	present
Eric Krawczyk	Member	excused
Jason Martinez	Member	present
Tina Moore	Member	present
Stacey Nieto	Member	present
Patricia Powless	Member	present
Carol Smith	Member	present
Gary Smith	Member	On Leave

**MOTION:** Jason Martinez motioned to approve the attendance.

**SECOND:** Pat Powless

**MOTION CARRIED UNANIMOUSLY**

**B.     Approval of Agenda**

**MOTION:** Jason Martinez Motioned to approve agenda

**SECOND:** Tina Moore

**MOTION CARRIED UNANIMOUSLY**

**C.     Review\Approval of Minutes     None**

**D.     Tabled Business;   None**

**E.     Old Business           None**



**F. New Business (1)**

**1. Employee Protection Disclosure – (Entire Commission 2 hours)**

Conference call with OPC Attorney Eric Eisenmann before the Oneida Personnel Commission.

Attorney Eric Eisenmann explained the purpose of this meeting. An Employee Protection case has come before the OPC Commission that is of a very serious nature. The Initial Panel that heard this case decided that this should come before the OPC Commission in order to have transparency. Attorney Eric Eisenmann is available to respond to any questions, concerns, or comments.

Discussion evolved around “why” was this issue being brought to the Commission if respective OPC panel members have already made their decision? It was explained in order to assure transparency and understanding by all Commissioners it was paramount to share the proposed plan of action to the entire Commission. This would mean filing a petition with the OBC to get on the GTC meeting agenda.

There were no verbalizations of resistance to said plan. Attorney Eric Eisenmann felt if all were in agreement this plan could move forward without a specific motion stated.

It was made clear Confidentiality is of extreme importance with this information.

**MOTION:** Pearl Webster to adjourn

**SECOND:** Jason Martinez

**MOTION CARRIED UNANIMOUSLY**

**Adjourn Time 12:48 pm**

**Submitted by Sharon Alvarez - Secretary**

ONEIDA PERSONNEL COMMISSION REGULAR MEETING

March 13, 2018 – NOON  
East Wing Conference Room

Mission Statement: To develop an employment system that is orderly and fair and one that will benefit the individual worker and strengthen Tribal Programs and Tribal Government.

**A. Call to Order:**

Bradley Graham called the meeting to order at 11:59 p.m.

**Attendance:**

Bradley Graham	Chair/Treasurer
Pearl Webster	Vice-Chair
Jennifer Hill	Member
Eric Krawczyk	Member
Richard Elm-Hill	Member
Stacey Nieto	Member
Carol Smith	Member
Patricia Powless	Member
Gerald DeCoteau	Member
Jason Martinez	Member
Tina Moore	Member

**Also Present:**

Gina Buenrostro	Administrator
Bridget Mendolla-Cornelius	Executive Assistant

**EXCUSED:**

Gary Smith	Member
Yvonne Jourdan	Member
Sharon Alvarez	Secretary

**MOTION:** Tina Moore moved to approve the attendance excusing Gary Smith, Yvonne Jourdan and Sharon Alvarez.

**SECOND:** Eric Krawczyk

**MOTION CARRIED UNANIMOUSLY**

**B. Approval of Agenda:**

**MOTION:** Eric Krawczyk motioned to move New Business F.1. (b) to the top of agenda and Richard Elm-Hill asked to be excused at 1:00 pm.

**SECOND:** Richard Elm-Hill

**MOTION CARRIED UNANIMOUSLY**



**F. New Business:**

**1. (b) Executive session concerns by office staff**

**MOTION:** Jennifer Hill moved to go into executive session.

**SECOND:** Carol Smith

**MOTION CARRIED UNANIMOUSLY**

**TIME:** 12:27 PM

**MOTION:** Jennifer Hill moved to come out of executive session.

**SECOND:** Patricia Powless

**MOTION CARRIED UNANIMOUSLY**

**TIME:** 1:46 PM

**MOTION:** Jennifer Hill moved to make the following changes to the Officer Responsibilities SOP:

Qualifications: Prior to being elected officer

3.4 Must have completed all required training within a period of 24 months.

3.5 Must be an Oneida Personnel Commission for six (6) months.

Chairperson:

3.12 Chairperson shall have sign off authority of \$50,000.00 for budgeted items and \$10,000.00 for unbudgeted items.

**SECOND:** Stacey Nieto

**MOTION CARRIED UNANIMOUSLY**

**MOTION:** Tina Moore moved to make the following changes to the Stipend Payment Process SOP:

3.8.3 OPC Members must complete EEO I& II (Interview Certification Training) prior to conducting Pre-Screening, Interviews, and Reassignments and annually thereafter.

3.15 Meetings.

3.15.1 OPC Members will receive \$50.00 for their participation in Regular, Special and Emergency OPC Meetings providing the meeting are at least one (1) hour in duration.

3.15.3 OPC Members will receive \$50.00 for a record of Work Meeting with 3<sup>rd</sup> Party.

3.17 Approval

3.17.1 The Chairperson, Vice-Chairperson, Treasurer, Administrator and Executive Assistant has the authority to sign off on stipends.

**SECOND:** Patricia Powless

**MOTION CARRIED UNANIMOUSLY**



**MOTION:** Patricia Powless moved to have SOP changes go into effect immediately  
**SECOND:** Stacey Nieto  
**ABSTAIN:** Eric Krawczyk  
**MOTION CARRIED**

**MOTION:** Stacey Nieto moved to have all Pro Temp OPC stipends signed off today  
**SECOND:** Patricia Powless  
**MOTION CARRIED UNANIMOUSLY**

**MOTION:** Carol Smith moved to remove Chairperson  
**SECOND:** Patricia Powless  
**MOTION FAILED – CHAIRPERSON BROKE THE TIE.**

**MOTION:** Eric Krawczyk moved to adjourn and defer March 13, 2018, Agenda Items to the April 10, 2018, OPC Meeting agenda.  
**SECOND:** Jason Martinez  
**MOTION CARRIED UNANIMOUSLY**  
**Time:** 2:35pm

**Minutes taken for the secretary by Gina Buenrostro/Bridget Mendolla-Cornelius**

*Bridget Mendolla-Cornelius*

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4273007 - PERSONNEL BOARD  
STATEMENTS PRODUCED PRIOR TO PERIOD CLOSING DATES ARE SUBJECT TO CHANGE  
REPORT RUNDATE/TIME: 2/14/2018 08:21:28

CERUNE01  
04JAN/2018

REPORT NAME: PRG\_REVEXP

4273007 - PERSONNEL BOARD  
REVENUE AND EXPENSE SUMMARY  
FOR THE PERIOD ENDING: 1/31/2018

ONEIDA NATION

					YEAR TO DATE		
					CURRENT MONTH		
CLASS DESCRIPTION	PRT-ACCT#-SUB	ACTUAL	BUDGET	VARIANCE	ACTUAL	BUDGET	VARIANCE
REVENUE							
TRIBAL CONTRIBUTION	000-458100-000	38,672.38	32,771.00	(5,901)	126,641	131,085	4,444
TOTAL REVENUE		38,672.38	32,771.00	5,901	126,641	131,085	(4,444)
EXPENSES (LABOR/PAYROLL)							
PERSONNEL	000-502100-000	6,051.48	8,481.00	2,430	26,317	33,927	7,610
WAGE ACCRUAL EXPENSE	000-502100-999	1,130.50		(1,131)	1,131		(1,131)
SALARIES - TRAINING	000-502110-000				47		(47)
OVERTIME	000-503100-000				51		(51)
PAID TIME OFF	000-504000-000	1,485.20		(1,485)	5,880		(5,880)
FRINGE BENEFIT	000-505000-000	3,373.10	3,904.00	531	14,314	15,615	1,301
FRINGE ACCRUAL EXPENSE	000-505000-999	505.97		(506)	506		(506)
TOTAL LABOR/PAYROLL EXP.		12,546.25	12,385.00	(161)	48,246	49,542	1,296
EXPENSES (PURCHASES)							
TOTAL PURCHASES							
EXPENSES (EXTERNAL & INTERNAL)							
SUPPLIES & MATERIALS	000-700001-000		167.00	167	235	664	429
COPY CHARGES	000-700010-000	544.69	54.00	(491)	545	218	(327)
TRANSP. & PER DIEM	000-701000-000		167.00	167		664	664
OUTSIDE SERVICES	000-702010-000	7,106.73	208.00	(6,899)	21,430	836	(20,594)
LEGAL SERVICES	000-702400-000	8,827.90	5,000.00	(3,828)	17,678	20,000	2,322
EMPLOYEE INCENTIVE	000-705000-000		109.00	109		436	436
TRAINING & EDUCATION	000-705010-000		833.00	833		3,336	3,336
RENTAL USAGE	000-705202-000	102.47	96.00	(6)	488	382	(106)
HEAT & LIGHTS	000-705211-000	353.53	375.00	21	903	1,500	597
WATER & SEWER	000-705212-000	6.61	8.00	1	25	36	11
TELEPHONE	000-705213-000	36.82	36.00	(1)	148	142	(6)
BUSINESS EXPENSE	000-705300-000		17.00	17		64	64
MEETING EXPENSE	000-705301-000		42.00	42		164	164
STIPENDS	000-705305-000				233		(233)
INSURANCE	000-705500-000	76.76	55.00	(22)	307	220	(87)
I/T SUPPLIES & MATERIALS	000-750001-000		8.00	8		36	36
I/T - PRINTING	000-750009-000		8.00	8		36	36
SECURITY CHARGES - INTRATRIBAL	000-752040-000				174		(174)

4273007 - PERSONNEL BOARD  
 STATEMENTS PRODUCED PRIOR TO PERIOD CLOSING DATES ARE SUBJECT TO CHANGE  
 REPORT RUNDATE/TIME: 2/14/2018 08:21:28  
 ONEIDA NATION

CBRUNE01  
 04JAN/2018

REPORT NAME: PRG\_REVEXP  
 4273007 - PERSONNEL BOARD  
 REVENUE AND EXPENSE SUMMARY  
 FOR THE PERIOD ENDING: 1/31/2018

				YEAR TO DATE			
				CURRENT MONTH			
CLASS DESCRIPTION	PRT-ACCT#-SUB	ACTUAL	BUDGET	VARIANCE	ACTUAL	BUDGET	VARIANCE
I/T RENT EXPENSE	000-755201-000		292.00	292		1,164	1,164
I/T UTILITIES EXPENSE	000-755210-000	.08					
I/T DEPRECIATION ALLOCATION	000-755216-000	231.93		(232)			(928)
INDIRECT COSTS	000-758300-000	1,229.23	1,209.00	(20)	5,267	4,831	(436)
INDIRECT COST ACCRUAL EXPENSE	000-758300-999	184.38		(184)	184		(184)
STIPENDS	100-705305-000	4,125.00	7,146.00	3,021	15,000	28,582	13,582
STIPENDS	200-705305-000	650.00	417.00	(233)	1,800	1,664	(136)
STIPENDS	400-705305-000	600.00	692.00	92	2,450	2,764	314
STIPENDS	500-705305-000	1,900.00	2,898.00	998	10,300	11,596	1,296
STIPENDS	600-705305-000	150.00	550.00	400	300	2,200	1,900
TOTAL EXT./INT. EXPENSES		26,126.13	20,387.00	(5,740)	78,395	81,535	3,140
TOTAL EXPENSES		38,672.38	32,772.00	(5,901)	126,641	131,077	4,436
NET TOTALS		(1.00)		1		8	(8)

REPORT NAME: PRG\_REVEXP  
 4273007 - PERSONNEL BOARD  
 REVENUE AND EXPENSE SUMMARY  
 FOR THE PERIOD ENDING: 2/28/2018

		CURRENT MONTH		YEAR TO DATE			
CLASS DESCRIPTION	PRT-ACCNT#-SUB	ACTUAL	BUDGET	VARIANCE	ACTUAL	BUDGET	VARIANCE
REVENUE							
TRIBAL CONTRIBUTION	000-458100-000	27,717.20	32,771.00	5,054	154,358	163,856	9,498
TOTAL REVENUE		27,717.20	32,771.00	(5,054)	154,358	163,856	(9,498)
EXPENSES (LABOR/PAYROLL)							
PERSONNEL	000-502100-000	5,619.92	8,481.00	2,861	31,937	42,408	10,471
WAGE ACCRUAL EXPENSE	000-502100-999	8.28		(8)	1,139		(1,139)
SALARIES - TRAINING	000-502110-000				47		(47)
OVERTIME	000-503100-000	34.32		(34)	86		(86)
PAID TIME OFF	000-504000-000	1,928.20		(1,928)	7,808		(7,808)
FRINGE BENEFIT	000-505000-000	3,382.53	3,904.00	521	17,697	19,519	1,822
FRINGE ACCRUAL EXPENSE	000-505000-999	1.75		(2)	508		(508)
TOTAL LABOR/PAYROLL EXP.		10,975.00	12,385.00	1,410	59,222	61,927	2,705
EXPENSES (PURCHASES)							
TOTAL PURCHASES							
EXPENSES (EXTERNAL & INTERNAL)							
SUPPLIES & MATERIALS	000-700001-000	92.71	167.00	74	328	831	503
COPY CHARGES	000-700010-000		54.00	54	545	272	(273)
TRANSP. & PER DIEM	000-701000-000		167.00	167		831	831
OUTSIDE SERVICES	000-702010-000	1,874.49	208.00	(1,666)	23,305	1,044	(22,261)
LEGAL SERVICES	000-702400-000	7,994.50	5,000.00	(2,995)	25,672	25,000	(672)
EMPLOYEE INCENTIVE	000-705000-000		109.00	109		545	545
TRAINING & EDUCATION	000-705010-000		833.00	833		4,169	4,169
RENTAL USAGE	000-705202-000		96.00	(6)	591	478	(113)
HEAT & LIGHTS	000-705211-000	102.47	375.00	15	1,263	1,875	612
WATER & SEWER	000-705212-000	360.20	8.00	(1)	34	44	10
TELEPHONE	000-705213-000	9.10	36.00	(1)	185	178	(7)
BUSINESS EXPENSE	000-705300-000	36.96	17.00	17		81	81
MEETING EXPENSE	000-705301-000		42.00	42		206	206
STIPENDS	000-705305-000				233		(233)
INSURANCE	000-705500-000		55.00	(22)	384	275	(109)
I/T SUPPLIES & MATERIALS	000-750001-000	76.76	8.00	8		44	44
I/T - PRINTING	000-750009-000		8.00	8		44	44
SECURITY CHARGES - INTRATRIBAL	000-752040-000				174		(174)

4273007 - PERSONNEL BOARD  
STATEMENTS PRODUCED PRIOR TO PERIOD CLOSING DATES ARE SUBJECT TO CHANGE  
REPORT RUNDATE/TIME: 3/14/2018 09:33:50  
REPORT NAME: PRG\_REVEXP

CBRUNE01  
05FEB/2018

ONEIDA NATION

4273007 - PERSONNEL BOARD  
REVENUE AND EXPENSE SUMMARY  
FOR THE PERIOD ENDING: 2/28/2018

		CURRENT MONTH				YEAR TO DATE			
CLASS DESCRIPTION	PRT-ACCT#-SUB	ACTUAL	BUDGET	VARIANCE	ACTUAL	BUDGET	VARIANCE		
I/T RENT EXPENSE	000-755201-000		292.00	292		1,456	1,456		1,456
I/T UTILITIES EXPENSE	000-755210-000	.03		(232)	1,160		(1,160)		(1,160)
I/T DEPRECIATION ALLOCATION	000-755216-000	231.93		(28)	6,504	6,040	(464)		(464)
INDIRECT COSTS	000-758300-000	1,236.69	1,209.00	(1)	186		(186)		(186)
INDIRECT COST ACCRUAL EXPENSE	000-758300-999	1.36	7,146.00	5,271	16,875	35,728	18,853		18,853
STIPENDS	100-705305-000	1,875.00	417.00	17	2,200	2,081	(119)		(119)
STIPENDS	200-705305-000	400.00	692.00	192	2,950	3,456	506		506
STIPENDS	400-705305-000	500.00	2,898.00	1,098	12,100	14,494	2,394		2,394
STIPENDS	500-705305-000	1,800.00	550.00	400	450	2,750	2,300		2,300
STIPENDS	600-705305-000	150.00							
TOTAL EXT./INT. EXPENSES		16,742.20	20,387.00	3,645	95,139	101,922	6,783		6,783
TOTAL EXPENSES		27,717.20	32,772.00	5,055	154,361	163,849	9,488		9,488
NET TOTALS		(1.00)		1	(3)	7	(10)		(10)

CLASS DESCRIPTION	PRT-ACCT#-SUB	YEAR TO DATE			
		CURRENT MONTH			
		ACTUAL	BUDGET	VARIANCE	
REVENUE					
TRIBAL CONTRIBUTION	000-458100-000	29,429.80	32,771.00	3,341	183,788
TOTAL REVENUE		29,429.80	32,771.00	(3,341)	183,788
EXPENSES (LABOR/PAYROLL)					
PERSONNEL					
WAGE ACCRUAL EXPENSE	000-502100-000	7,614.42	8,481.00	867	39,551
SALARIES - TRAINING	000-502100-999	(1,138.78)		1,139	47
OVERTIME	000-502110-000			(3)	89
PAID TIME OFF	000-503100-000	2.86		(6,120)	13,928
FRINGE BENEFIT	000-504000-000	6,120.16		(558)	22,158
FRINGE ACCRUAL EXPENSE	000-505000-000	4,461.68	3,904.00	508	
	000-505000-999	(507.72)			
TOTAL LABOR/PAYROLL EXP.		16,552.62	12,385.00	(4,167)	75,773
EXPENSES (PURCHASES)					
TOTAL PURCHASES					
EXPENSES (EXTERNAL & INTERNAL)					
SUPPLIES & MATERIALS	000-700001-000	353.78	167.00	(187)	682
COPY CHARGES	000-700010-000	597.14	54.00	(543)	1,142
TRANSP. & PER DIEM	000-701000-000		167.00	167	23,322
OUTSIDE SERVICES	000-702010-000	16.99	208.00	191	25,672
LEGAL SERVICES	000-702400-000		5,000.00	5,000	
EMPLOYEE INCENTIVE	000-705000-000		109.00	109	
TRAINING & EDUCATION	000-705010-000		833.00	833	
RENTAL USAGE	000-705202-000		96.00	(6)	693
HEAT & LIGHTS	000-705211-000	102.47	375.00	28	1,610
WATER & SEWER	000-705212-000	347.08	8.00	(1)	43
TELEPHONE	000-705213-000	9.02	36.00	(1)	222
BUSINESS EXPENSE	000-705300-000	37.10	17.00	17	
MEETING EXPENSE	000-705301-000		42.00	42	
STIPENDS	000-705305-000				
INSURANCE	000-705500-000	76.76	55.00	(22)	233
I/T SUPPLIES & MATERIALS	000-750001-000		8.00	8	461
I/T - PRINTING	000-750009-000		8.00	8	
SECURITY CHARGES - INTRATRIBAL	000-752040-000				174



ONEIDA NATION

4273007 - PERSONNEL BOARD  
REVENUE AND EXPENSE SUMMARY  
FOR THE PERIOD ENDING: 3/31/2018

				YEAR TO DATE		
				CURRENT MONTH		
CLASS DESCRIPTION	PRT-ACCNT#-SUB	ACTUAL	BUDGET	VARIANCE	ACTUAL	BUDGET
I/T RENT EXPENSE	000-755201-000		292.00	292		1,748
I/T UTILITIES EXPENSE	000-755210-000	.08				
I/T DEPRECIATION ALLOCATION	000-755216-000	231.93		(232)	1,392	(1,392)
INDIRECT COSTS	000-758300-000	2,240.57	1,209.00	(1,032)	8,745	(1,496)
INDIRECT COST ACCRUAL EXPENSE	000-758300-999	(185.74)		186		
STIPENDS	100-705305-000	4,500.00	7,146.00	2,646	21,375	42,874
STIPENDS	200-705305-000		417.00	417	2,200	2,498
STIPENDS	400-705305-000	350.00	622.00	342	3,300	4,148
STIPENDS	500-705305-000	3,500.00	2,898.00	(602)	15,600	17,392
STIPENDS	600-705305-000	700.00	550.00	(150)	1,150	3,300
TOTAL EXT./INT. EXPENSES		12,877.18	20,387.00	7,510	108,016	122,309
TOTAL EXPENSES		29,429.80	32,772.00	3,343	183,789	196,621
NET TOTALS			(1.00)	1	(1)	6
						(7)